

REMARKS

The Applicant does not believe the consideration of the foregoing amendment will result in the introduction of new matter into the present application for invention.

Therefore, the Applicant, respectfully, requests that the above amendment be entered in and that the claims to the present application be, kindly, reconsidered.

The Office Action dated March 12, 2004 has been received and considered by the Applicants. Claims 1-8 are pending in the present application for invention. Claims 1-16 stand rejected by the March 12, 2004 Office Action.

The Office Action rejects Claims 1-16 under the provisions of 35 U.S.C. §103(a) as being obvious over U.S. Patent No. 5,576,731 issued to Whitby et al. (hereinafter referred to as Whitby et al.) in view of U.S. Patent No. 6,512,437 issued to Shimizu et al. (hereinafter referred to as Shimizu et al.).

Regarding Claims 1, 2, 4, 6-7, 9-10, 12, and 14-16, the Examiner states that Whitby et al. disclose a receiver. The Applicant, respectfully, points out there is no discussion within Whitby et al. for receiving encoded video.

The Examiner has read the display system 3 of Whitby et al. upon the receiver of the rejected claims to the present invention. The display system 3 of Whitby et al. converts the input image delayed from a first refresh rate to a second refresh rate. The Applicant would like to, respectfully, point out that the receiver as recited by the rejected claims to the present invention comprises a video decoder for decoding the received images for motion parameters.

The Examiner states that Whitby et al. a column 7, lines 19-22; column 8, lines 22-26; and column 9, lines 16-22 teaches decoding of video images. The Applicant respectfully points out that these cited portions of Whitby et al. discuss motion attributes that are derived from motion analysis, which is not the same as the decoding of a video signal that is encoded.

The Examiner states that Whitby et al. at column 9, lines 11-15 teach that variations in the video decoded images are supplied as parameters to the video decoder. The Applicant respectfully points out column 9, lines 11-15 of Whitby et al. discusses the entry into a selection table of attributes used in the creation of regions. The microprocessor operates on the regions. Whitby et al. at column 9, lines 11-15 does not disclose or suggest that variations and the video decoded images are supplied as parameters to video decoder.

The Examiner states that Whitby et al. at column 3, lines 45-49; column 13, lines 9-13;

and the Abstract, lines 10-15 teach refreshing selective zones of the display screen. The Applicant would like to point out that rejected Claim 1 to the present intention recites "the screen controller comprising a control means for selectively refreshing display zones on the screen with refreshing frequencies determined as a function of the motion information provided by the decoder". The Applicant, respectfully, submits that there is a fundamental difference between the teachings of Whitby et al. refreshing selective zones of the display screen and the recitation of rejected Claim 1 selectively refreshing display zones with frequencies determined as a function of motion information. There is no disclosure or suggestion within Whitby et al. freezing frequencies that a function of motion information for refreshing displacements. Whitby et al. discloses two different refresh rates, which are used for the display memory, and the zone used for refreshing moving objects. There is no refreshing of zones as a function of motion information taught or, suggested, by Whitby et al.

The Examiner has read various sections of Whitby et al. on the rejected claims, however, the Examiner also admits that Whitby et al. do not disclose a video motion detector. The Applicant, respectfully, submits that the objection contained in the office action requires substantial modifications of the cited reference, Whitby et al. The rejected claims recite elements pertaining to motion and motion parameters. Among these elements are a control means for selectively refreshing display zones with refreshing frequencies that our function of motion information provided by the decoder. The Applicant does not believe that there is any reason to modify the teachings of Whitby et al. in such a substantial matter to arrive at this motion related attributes. Therefore, there are unfound claimed features of the present invention that are not properly found in the rejection made by the Office Action.

The Examiner states that Whitby et al. does not teach its motion detector however, Shimizu et al. in Fig 1; column 7, lines 8-22; and lines 28-32 teaches a video motion detector that detects variation between successive images and for driving motion information associated with the identified object. The Applicants respectfully submitted that this combination made by the Office Action still does not address the features of the rejected claims wherein the screen controller can selectively refresh display screens using refresh frequencies that are determined as a function the motion that is provided by the video decoder. Therefore, there are unfound claimed features of the present invention that are not properly found in the rejection made by the Office Action. Accordingly, this rejection is respectfully, traversed.

Regarding Claims 3, 5, 11, and 13, the Examiner states that Shimizu et al. disclose the motion detector using the motion vector on a flat or not flat surface at column 4, lines 3-19. The Applicant respectfully points out that Shimizu et al. at column 4, lines 3-19 is discussing motion detection related to video input from a flat surface. The Examiner states that Shimizu et al. do not expressly show that the motion vector taught therein is parallel to the image, but that Shimizu et al. disclose that the motion vector can be in a flat plane thus suggesting that the vector is parallel to the plane. The Applicants respectfully submit that there is no similarity between the flat surface discussed in Shimizu et al. that deals with detection of a flat area as compared to the recitations contained within claims 3 and 13 that are related to displacement in a video object in a parallel plane. Accordingly, the rejection of Claim 3 and 13 is, respectfully, traversed.

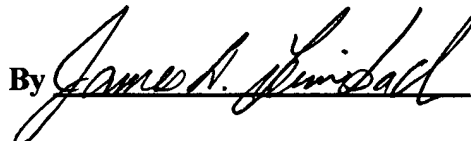
Claims 5 and 11 are believed to be allowable because they depend from claims, which are believed to be allowable.

Claim 8 depends from Claim 1 which as previously discussed is believed to be allowable, therefore, claim 8 is also believed to be allowable.

Applicant is not aware of any additional patents, publications, or other information not previously submitted to the Patent and Trademark Office which would be required under 37 C.F.R. 1.99.

In view of the foregoing amendment and remarks, the Applicant believes that the present application is in condition for allowance, with such allowance being, respectfully, requested.

Respectfully submitted,

By 

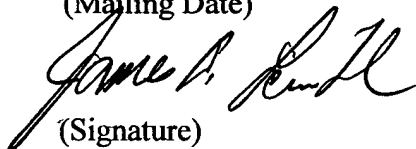
**James D. Leimbach, Reg. 34,374
Patent Attorney (585) 381-9983**

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited this date with the United States Postal Service as first-class mail in an envelope addressed to: Mail Stop: Non-Fee Amendment, COMMISSIONER FOR PATENTS, P.O. Box 1450, Alexandria, VA 22313-1450

on: June 12, 2004

(Mailing Date)


(Signature)